

Attorney Docket No. 03665/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s) : Mitsuru ARAI et al  
Serial No. : 10/699,809  
Confirm. No. : 4459  
Filed : November 3, 2003  
For : VOLUME CONTROL APPARATUS OF  
RADIAL PISTON PUMP OR MOTOR  
AND POSITIONING APPARATUS  
  
Art Unit : 3746  
Examiner : Leonard J. Weinstein

This paper is being submitted  
via EFS-Web on October 22, 2007

In the event that this Paper is  
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**NOTICE OF APPEAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

Applicant hereby appeals to the Board of Appeals from the decision of the Examiner  
finally rejecting Claims 5-9.

A Pre-Appeal Brief Request for review is submitted with this Notice of Appeal.

The Patent Office fee of \$510.00 under 37 CFR 37 CFR 41.20(b)(1) for filing a Notice of  
Appeal is being paid by credit card herewith. If any further fees are required, authorization is  
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Respectfully submitted,

/Douglas Holtz/

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